

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - APRIL 21, 2003

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A.M. - CONFIRMATIONS

Krippendorf	DANNY UPDIKE - Ch. 13 Mod Plan filed 2/5; d/e # 39, 40, Trustee report & showcause: Dismiss/convert, d/e # 16, contd from 12/16 & 2/24 <i>Note: further amendment to plan filed 2/24; d/e # 46; c/s filed 3/6 d/e# 49</i> <i>contd from 4/217 – (may confirm prior to hrg if current in pmts, etc.)</i>	7-02-03467	Connelly/NS
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Delafield	ROGER & BRENDA SCHAEFFER Mod plan filed 1/31; d/e # 21, 22 Trustee report and showcause on dismissal filed 1/17; d/e # 18, contd from 2/10 Mot for valuation: camera/PC Upgrades: FNANB (Circuit City) filed 2/6; d/e # 25 <u><i>contd from 3/24 ONLY if Debtor/Trustee unable to agree on conditional conf order relating to treatment of FNANB & valuation issue</i></u> <i>–see also 2:00 p.m. A/P - Debtor v. Nextel</i>	7-02-04704	Connelly/SO
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Hart	DENNIS & PATRICIA HARDY-chl3 Mod Plan filed 3/6; d/e # 29, 30 Objection: Deutsche Bank National Bank (Sasser) filed 3/28; d/e # 42 City of Roanoke (Collins) Motion # 1: Relief & Motion to Extend Stay – filed 3/18; <i>contd fr 4/21</i> Deutsche Bank National (Goldberg) v. Debtors [d/e # 33] (property at <u>2420</u> CliftonAve, Roanoke) Motion #2: Relief - filed 3/26, d/e # 40, 41; <i>contd fr 4/21</i> Deutsche Bank National Trust (Goldberg) v. debtors	7-02-05049	Connelly/S
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(property at 240620 Hanover Ave, Roanoke)

Roanoke Calendar - 4/21/03

9:30 A.M. - CONFIRMATIONS

M Hart ANTHONY ELLIS-chl3 7-03-00447 Connelly/NS
Plan filed 1/31, d/e # 6
Trustee's report, Objection and Showcause: Convert/dismiss; filed 3/10; d/e # 15

Krippend. GREGORY KING 7-02-04268 Connelly/AF
Mod Plan filed 2/28; d/e # 43, 44

Motion # 2: Relief--filed 3/3
U. S. Mortgage (C.Patterson) v. Debtor & Trustee
Response filed by Debtor on 3/7
(previously heard on 3/24--order entered 4/14 cont. to this date)

See 11:00 a.m. atty fee appl. (avoid lien mot withdrawn & ap filed & set 5/27 @ 2)

Krippend. REBECCA LEWIS 7-03-00472 Connelly/SJ
***Mod Plan filed 4/14 w/certification that modifications do not adversely affect
undecured creditors & with service to Debtor & Trustee only, d/E #26***
Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e #2 1

Valuation Motion filed 2/24, d/e # 16, Heilig Meyers Master Trust (refrigerator)

Motion #1: Avoid lien: filed 2/21; d/e #14, 15
Debtor v. Citifinancial Services Inc.
ORDER entered 3/19 withdrew motion

T. Giles LEROY, SR., & BRENDA HICKS - Ch. 13 7-03-00305 Connelly/SL
Plan filed 1/24, d/e # 6
Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e # 19

Motion for Valuation of furniture w/Schewel Furniture, creditor [d/e # 16]

Mayer	MARK & PEGGY LYLE-chl3	7-03-00237	Connelly/NS
	Plan filed 1/22, d/e # 6		
	Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e # 15		

Roanoke Calendar - 4/21/03

9:30 A.M. - CONFIRMATIONS

M Hart	JOHN & JOYCE SMITH-chl3	7-03-00453	Connelly/VS
	Plan filed 1/31, d/e # 6 ; <i>CONTD from 4/21</i>		
	Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e # 16		
	Obj: City of Roanoke (D. Collins) filed 4/10; d/e # 22		

T Giles	CHARLES MITCHELL-chl3	7-03-00310	Connelly/GR
	Plan filed 1/24, d/e # 6		
	Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e # 14		

P Brown	ELSIE HORSLEY-chl3	7-03-00272	Connelly/SJ
	Plan filed 1/23, d/e # 6		
	Trustee Report & Showcause: Dismiss/convert, filed 3/10; d/e # 14		
	Trustee Report & Showcause: Dismiss/convert, filed 3/21; d/e # 17		

MOTION TO CONVERT TO CH 7 filed 4/14 & \$15.00 conversion fee paid

P Brown	TIMOTHY & BRENDA TAYLOR-chl3	7-03-00274	Connelly/NS
	Plan filed 1/23, d/e # 6		
	Trustee Report & Showcause: Dismiss or convert, filed 3/10; d/e # 14		

M Hart DEBORAH TAYLOR 7-02-04924 Connelly/SJ
Plan filed 12/16; d/e # 13, with c-s all creditors ; *contd from 2/24, d/e # 18, 19*
Trustee Report and Showcause: Dismiss or convert, filed 1/17; d/e # 16

Roanoke Calendar - 4/21/03

9:30 A.M. - CONFIRMATIONS

P. Brown KENNETH & CATHERINE BANKS - Ch. 13 7-02-04939 Connelly/VS
Mod. Plan filed 2/20 [d/e # 19, 20]
Trustee report and showcause: Dismiss or convert, filed 1/14, d/e # 17 *contd fr 2/24*
—note: otbt (Brown) to waive notice of modified plan & tr., if appropriate, may ten. Conf
order prior to date set for conf hrg.
-ORDER ENTERED 3/7 CONFIRMING PLAN, CANCELS HEARING

Krippend. KAREN BASHAM-chl3e 7-02-05149 Connelly/S
Mod Plan filed 2/21, d/e # 22; *contd fr 1/27, 3/10 & 4/21*
Trustee Report and Showcause: Dismiss or convert filed 1/24, d/e # 17
Obj to Claim of ABN AMRO filed 4/14, d/e # 33, set for 5/12 @ 11

Motion #1: Avoid lien - filed 1/21, d/e # 16, 18
Debtor v. Friedman's Jewelers
—note: contd from 3/10; pending receipt from counsel ltr brief ref. legal basis upon
which to void lien
—Order entered 3/14 withdrawing Debtor's Motion to Avoid Lien [d/e # 30]

Hart ODELL & KELLY DREW-chl3 7-01-04023 Connelly/VS
Amended Plan filed 2/10, d/e # 66 & 72 (reinstated case) (*amended scheds I, J d/e # 67*)

Janney
, RAYMOND & CINDY HINSON 7-02-04766 Connelly/JJ
Mod Plan filed 2/25; d/e # 40, 41

–see also 11:00 a.m. Objection to Claim (of Option One Mortgage)

M. Hart SAMUEL & LINDA WINEBARGER - Ch. 13 7-02-03685 Connelly/SL
Mod. Plan filed 2/26 [d/e # 38] contd from 4/21

Roanoke Calendar - 4/21/03

9:30 A.M. - CONFIRMATIONS

M Hart DENISE HENDERSON 7-02-05163 Connelly/VS
Mod. Plan filed 2/28, d/e # 19

Trustee Report and Showcase: Dismiss or convert filed 1/24, d/e # 18
(As to original plan contd from 3/10)

Motion #1: Avoid lien filed 1/17; d/e # 14, 15 *contd from 3/10*
Debtor v. American General Finance c/o Frederick Geissinger, President

M Hart LEE & LISA MEADOR 7-01-02302 Connelly/SJ
Mod Plan filed 2/21, d/e # 42, 43

Trustee Motion to Dismiss or convert case filed 1/15; d/e # 40 *contd from 2/24*

M Hart JACKIE CLARK 7-02-04660 Connelly/JJ
Mod Plan filed 2/21, d/e # 23, 24, 25

11:00 A. M. - MISCELLANEOUS

Krippend. BRIDGET JOHNSON -chl3 7-00-01839 Connelly/VS

Motion of Trustee to Convert or Dismiss case filed 3/21, d/ed # 93
RESPONSE filed by Debtor [d/e # 94] - *contd from 4/21*

M Hart ROBERT & SANDRA SMITH 7-00-04090 Connelly/LM
 Motion of Debtors Counsel for Fee , filed 3/14; d/e # 76

Roanoke Calendar - 4/21/03

11:00 A. M. - MISCELLANEOUS

Krippend. MATTHEW & CAROLYN MOSLEY-ch13 7-99-01944 Connelly/SO
 Motion of counsel for debtors (Janney) for fees of \$500.00, filed 3/25, d/e # 59

Janney RAYMOND, SR., & CINDY HINSON - Ch. 13 7-02-04766 Connelly/JJ
 Objection to Claim # 6 of Option One Mortgage Corp. (Callahan) [d/e # 24, 48]
 –Evidence of debtor heard 3/24; contd to provide opportunity to creditor for
 further hearing to produce evidence or for counsel to tender agreed order.

–see also 9:30 a.m. confirmation hearing matters

Krippend. GREGORY KING 7-02-04268 Connelly/AF
 Motion #1 (***Amended***): Avoid lien - filed 3/24, d/e # 52 (orig M1 @ d/e # 40)
 Debtor v. Darryl L. King
 –ORDER of 3/28 withdrew Amended Motion (AP filed; set for PTC 5/27@2:00)

Motion of Counsel, Tonya Janney, for compensation in amt of \$531.51

–see also 9:30 a.m. confirmation hearing on mod plan

Dickenson LINDA THOMPSON - Ch. 13 7-01-00867 Connelly/NS
Debtor's Motion to Reimpose Stay [d/e # 38]
Response filed by Principal Residential Mortgage (Zimm) 4/3, d/e # 39

M. Hart ROBERT CAREY - Ch. 13 7-02-04806 Connelly/JJ
Counsel for Debtor's Fee Application [d/e # 42]
*—no objections filed by deadline; **Order/Notice self-executing***

Roanoke Calendar - 4/21/03

11:00 A. M. - MISCELLANEOUS

P Brown ANTHONY BRYANT - chl3 7-00-01208 Connelly/AF
Debtor Motion to Approve Post-Petition Consumer Debt, d/e # 52, contd from 3/24

M Hart JEREMY EDWARDS-chl3 7-02-04981 Connelly/VS
Motion #1: Relief - filed 2/27; d/e # 19, 20 **contd from 3/24**
Wells Fargo Home Mortgage (Sasser/McLean) v. debtor & trustee
Answer of defendant Edwards filed 3/6; d/e #21

Krippend/
Janney DAVID & ROBIN BURNETTE-ch13 7-02-02847 Connelly/NS
Motion of Debtor counsel (Janney) for compensation of \$835.50, filed 3/25, d/e # 69

Shelor ANNA WINFREY 7-02-04773 cONNELLY/vs
Showcause: failure of counsel to submit order as required by Local Rule 9072-1 and
failure to respond to court's letter of 3/7/03 - d/e # 26, fixed by order of 4/4/
– *mod plan contd from 4/21*

Creasy MICHAEL WELLS-ch13 7-99-03387 Connelly/NS
Motion to Shorten Notice and Motion to Incur Debt filed 4/3; d/e # 87

Roanoke Calendar - 4/21/03

11:00 A. M. - MISCELLANEOUS

M Black ROLAND MACHER-ch11 7-00-3659 DIP/SL
Confirmation of Amended Plan #2: filed 11/12; d/e # 167, 168 **contd fr 4/21 to 6/23@11**
Objection: Internal Revenue Service (Eckert)

Motion to Employ law firm of Tolerton & Brown as special counsel for debtor to
assist in filing motion for relief in Acree bankruptcy in Eastern District in order
for debtor to bring legal malpractice claim [d/e # 184, 186]

Motion to Employ law firm of Colgan Kimball & Carnes (retroactive to 10/3/01) as
special counsel for debtor to assist in action against Acree for legal malpractice claim
once debtor obtains motion for relief and matters related thereto [d/e # 185, 186]

P.Brown DONNA MARTIN - Ch. 13 7-98-00118 Connelly/AF
Debtor's Motion to Approve Post-Petition Consumer Debt & Motion to Shorten
Notice Requirement [d/e # 51] ***filed 4/14***

11:30 A. M. - MISCELLANEOUS

P Brown	JEFFREY WORRELL-ch13	7-01-04267	Connelly/NS
	Motion of Trustee to Dismiss filed 11/18; d/e # 29 <i>contd from 1/27& 3/10 to obtain info from closing atty re funds from r/e sale (completed) to be made available to pay out Ch13 case</i>		

1:00 P. M. - MISCELLANEOUS

Westermann/ Magee	RBX CORPORATION - Ch. 11	7-01-00436	DIP/JJ
	<i>preliminary matters reference 3-day trial scheduled on Obj to Cl. #1143 of Ohio EPA (Kerns) now scheduled to commence 4/23</i>		
	Debtor's Motion for Partial Summary Judgment re Obj. To Claim # 1143 of Ohio EPA [d/e # 1540]		
	RESPONSE filed by Ohio EPA (Kern) [d/e # 1550] w/ <i>attachments 1-20 filed 4/15</i>		

Roanoke Calendar - 4/21/03

2:30 P.M. - TRIAL

Delafield	ROGER & BRENDA SCHAEFFER-ch13	7-02-04704	Connelly/ LM
	A/P 7-03-00018: Recover money or property		
	Debtors v. Nextel Partners Inc ()		
	<i>-RESERVED couple hours</i>		

Bowman	JOHNNY & ELIZABETH GREENWAY	7-99-03068	Krippend/JM
	A/P 7-03-00028: Obj to or revoke discharge		
	W. Clarkson McDow Jr, U. S. Trustee (Garber) v. debtors (Bowman)		

Goldstein	A & E INTERNATIONAL LLC-ch11	7-02-02760	DIP/JJ
	A/P 7-02-00165: Recover money or property S		
	Bud Weaver Heating/Air Conditioning (T. Williams) v. Debtor (Goldstein) and Gulf Insurance Company (D Layman /Webb King)		

A/P 7-02-00166: Recover money or property LM
Roanoke Electric Works, Inc. (T. Williams) v. Debtor (Goldstein) and Gulf
Insurance Company (D. Layman/Webb King)

2:00 P. M. - MISCELLANEOUS

Hart CORNELIUS & ANGELIA SANDERS 7-99-00835 McLean/SL
Motion of Trustee to Dismiss case, filed 3/24, d/e # 97

Roanoke Calendar - 4/21/03

2:00 P. M. - MISCELLANEOUS

Mayer WARREN HOWELL-ch7 7-02-04201 Krippend/GR
Motion of Trustee (Krippendorf) for extension to file objs to exemptions, complaints,
etc., filed 3/7; d/e # 23, 24

Allen PAMELA HINKLE-ch7 7-02-03960 Creasy/JJ
Motion of Trustee (Creasy) for extension to file objs to exemptions, complaints,
etc., filed 3/12; d/e # 23, 24

Giles V. JACK & LISA WINTERS-ch7 7-02-05212 Vogel/SJ
Motion of Trustee to extend debtors' discharge and time for filing complaint to
deny discharge

Motion of Trustee (Vogel) for R2004 Examination filed 3/27; d/e # 15

Szathmary ALEXANDER & BRENDA RAVER 7-03-00695 Creasy/SL
Motion #1: relief - filed 3/25, d/e # 10, 11
National City Mortgage (Sasser) v. debtors & trustee

Szathmary JOSEPH & ELSIE ALLS-ch7 7-03-00693 Creasy/VS
Motion #2: Relief - filed 3/24; d/e # 14, 21
DaimlerChrysler Services NA LLC (Higgs) v. debtors & trustee

Roanoke Calendar - 4/21/03

2:00 P. M. - MISCELLANEOUS

Allen JUBB'S MAIL SERVICE INC-ch11 7-02-05074 DIP/NS
Motion #1: relief - filed 3/26; d/e # 33, 34
USA/Dept of Transportation, Federal Motor Carrier Safety Administration(Eckert) v.
Debtor
Answer of debtor filed 4/9, de # 35

M Giles EMORY & LIDDY KING-ch7 7-03-00089 McLean/AF
Motion #2: relief - filed 3/27; d/e # 18, 20
Household Automotive Finance (Fitzpatrick) v. debtors & trustee

Janney CHARLOTTE MARTIN-ch7 7-03-00912 McLean/SJ
Motion #1: Relief - filed 3/28; d/e # 13, 14, 15
Regional Acceptance Corp (Deborah Kirkpatrick) v. debtor & trustee
Response filed 4/7, d/e #18

2:30 P.M. - MISCELLANEOUS

Pro se KERMIT GILES-ch7 7-03-01084 Krippendorf*
*successor trustee
Debtor filed "Emergency" Motions as follows:
1) " Motion (Emergency) to Object to Trustee's Intent to Abandon Property filed by

Commonwealth of Va., Motor Vehicle Dealer Board and it's attorney Eric K. G. Fiske” (Motor Vehicle Dealer & Salesperson Licenses) filed 4/17; d/e # 26
(Note: No “Trustee’s Intent to Abandon Property” docketed)

2) “ Motion (Emergency) to Object to Successor Trustee, Evelyn Krippendorf, Appointed on 4/8 filed 4/17; d/e # 27

3:00 P.M. - TRIAL

Proctor CHARLOTTE DAVIS - Ch. 7 7-02-03367 Krippend./JM
 A/P 7-02-00167: det. Dischargeability §523; obj to or revoke discharge §727
 Janet McClain (Scott Geddes) v. Debtor

–telephone conference held with court on 4/15; agreed order to be tendered with endorsement of trustee and U. S. Trustee (hearing cancelled)